

Introduced by Senator Corbett

February 23, 2007

An act to add Section 18104.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 768, as introduced, Corbett. Misuse of information in affidavit of registration or voter registration.

Existing law requires any individual, group, or organization that distributes applications for voter registration to return the completed application forms to the appropriate elections official within a specified time period of receiving them.

This bill would make it a misdemeanor for any person to knowingly use, or permit to be used, information obtained from an affidavit of registration or a voter registration card prior to its receipt by the appropriate elections official. This bill also would make it a misdemeanor for any person who knowingly acquires, possesses, or uses, for any purpose, voter registration information that has been obtained from an affidavit of registration or a voter registration card prior to its receipt by the appropriate elections official.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18104.5 is added to the Elections Code,
2 to read:

3 18104.5. (a) Any person, including, but not limited to, a person
4 assisting another to register to vote or a petition circulator, who
5 knowingly uses, or permits the use of, for any purpose, information
6 obtained from an affidavit of registration or a voter registration
7 card prior to its receipt by the appropriate elections official is guilty
8 of a misdemeanor.

9 (b) Any person who knowingly acquires, possesses, or uses, for
10 any purpose, voter registration information described in subdivision
11 (a) is guilty of a misdemeanor.

12 SEC. 2. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 the only costs that may be incurred by a local agency or school
15 district will be incurred because this act creates a new crime or
16 infraction, eliminates a crime or infraction, or changes the penalty
17 for a crime or infraction, within the meaning of Section 17556 of
18 the Government Code, or changes the definition of a crime within
19 the meaning of Section 6 of Article XIII B of the California
20 Constitution.